

Assembly Bill No. 2848

CHAPTER 387

An act to amend Section 21083.7 of the Public Resources Code, relating to environmental impact reports, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 8, 2000. Filed
with Secretary of State September 11, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2848, Firebaugh. Environmental impact reports.

(1) Existing law provides that if a project requires both an environmental impact report prepared pursuant to the California Environmental Quality Act and an environmental impact statement prepared pursuant to the National Environmental Policy Act of 1969, the lead agency, whenever possible, shall use the statement as the report. In that situation, existing law requires the lead agency that will substitute the statement for the report to consult, as soon as possible, with the federal agency required to prepare the statement.

This bill would also require the lead agency to notify the federal agency required to prepare the statement of any scoping meeting for the proposed project.

(2) This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 21083.7 of the Public Resources Code is amended to read:

21083.7. (a) In the event that a project requires both an environmental impact report prepared pursuant to the requirements of this division and an environmental impact statement prepared pursuant to the requirements of the National Environmental Policy Act of 1969, the lead agency shall, whenever possible, use the environmental impact statement as such environmental impact report as provided in Section 21083.5.

(b) In order to implement this section, each lead agency to which this section is applicable shall do both of the following, as soon as possible:

(1) Consult with the federal agency required to prepare such environmental impact statement.

(2) Notify the federal agency required to prepare the environmental impact statement regarding any scoping meeting for the proposed project.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to expedite the process by which the environmental quality of the projects is assessed as soon as possible, it is necessary that this measure take effect immediately.

